

Notice of Allowability

Application No.

10/765,751

Examiner

Lorna M. Douyon

Applicant(s)

SUNDER ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated March 21, 2005.
2. ☒ The allowed claim(s) is/are 76-81, 87-95 renumbered 1-15 respectively.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/799,976.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Lorna M. Douyon
Lorna M. Douyon
Primary Examiner
Art Unit 1751

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Glenn E.J. Murphy on June 7, 2005.

2. The application has been amended as follows:

- 2.1. In claim 76:

- a) line 13 (third line from last), "and" has been deleted;
- b) last line, after "amounts", the following has been added:

--and wherein the shaped body comprises one or more enzymes--

(support is found in original claim 1).

- 2.2. Claims 82-86, 96-107 have been cancelled.

- 2.3. Claims **87-95**, which are dependent upon allowable claim 76, are now **rejoined**.

In the previous office action dated October 20, 2004, the Examiner inadvertently included claims 87-95 as part of Group II in the restriction requirement when these claims should have been part of Group I along with claim 76 since these claims are dependent upon claim 76.

- 2.4. The Abstract of the Disclosure has been replaced with the following:

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--A process for the preparation of laundry detergent or cleaning product shaped bodies comprises preparing a first noncompressed part (a) which comprises an active substance, preparing a second noncompressed part (b) which comprises an active substance, connecting the two shaped body parts (a) and (b) by joining or intermeshing them to form the shaped body.--

2.5. The TITLE has been replaced with: METHOD OF PREPARING MULTIPHASE LAUNDRY DETERGENT AND CLEANING PRODUCT SHAPED BODIES HAVING NONCOMPRESSED PARTS.

2.5. At page 1 of the specification, the inserted paragraph immediately following the title in the amendment dated January 27, 2004 has been replaced with the following:

--CROSS REFERENCE TO RELATED APPLICATIONS

This application is a Divisional Application of U.S. Application No. 09/799,976, filed March 5, 2001, now US Patent No. 6,737,390 which claims priority under 35 U.S.C. 119 to DE 100 10 760.5, filed March 4, 2000.--

STATEMENT OF REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The objection to claim 76 is withdrawn in view of Applicants' amendment and arguments therein. The claims in their present amended forms have overcome the prior art of record including the newly found art to Jeschke et al. because none of them teaches, discloses or suggests a process for the preparation of laundry detergent or cleaning shaped bodies in the manner as those specifically recited. Even though Menke, one of the close prior art of record,

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teaches a method for the manufacture of a block-form cleaner which comprises the steps of forming separate mixtures of the components of the respective masses having at least one identical active substance, one of which is enzymes; extruding the separate mixtures into strands; combining and shaping the strands; and cutting the strands to directly form the block-form cleaner (see claim 16; col. 3, line 2; Example 19 under col. 15), Menke fails to teach the strands being formed under pressures of no more than 0.1 kN/cm^2 . As argued by Applicants the extrusion process described in Menke is typified by extrusion pressures in excess of 25 bar or 0.25 kN/cm^2 , which pressure is typical for the purposes of Menke which is to combine two masses together to form block-form cleaners as seen in Figures 1-9. Speed, the other close prior art, who teaches a detergent tablet which comprises a first non-compressed, gelatinous portion and a second non-compressed gelatinous portion, as seen throughout the specification, is overcome by Applicants' amendment which states that the first and second noncompressed parts are not gelatinous at the same time. Jeschke, the newly found art, although teaching a multi-layer block-form detergent composition prepared from separate melts having a same active substance in different amounts (see abstract, Example under col. 7), Jeschke fails to teach the incorporation of enzymes into the detergent composition. In the preparation of the melt, the ingredients are heated to about 55°C (see col. 5, lines 28-50), which would not be suggestive in adding enzymes which are heat sensitive. Accordingly, the subject matter, as a whole would not have been obvious to one of ordinary skill in the detergent art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

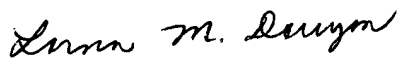
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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313. The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on (571) 272-1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lorna M. Douyon
Primary Examiner
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